

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by AT&T  
Communications of the Southern  
States, Inc. for arbitration of  
certain terms and conditions of a  
proposed agreement with GTE  
Florida Incorporated concerning  
interconnection and resale under  
the Telecommunications Act of  
1996.

DOCKET NO. 960847-TP  
ORDER NO. PSC-97-1110-CFO-TP  
ISSUED: September 23, 1997

ORDER GRANTING GTE FLORIDA INCORPORATED'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION  
AND MOTION FOR PROTECTIVE ORDER  
FOR DOCUMENT NO. 07299-97

Pursuant to Rule 25-22.006(4), Florida Administrative Code, GTE Florida, Incorporated (GTEFL or the company) requested confidential treatment for certain information. This information is contained in Document No. 07299-97.

Documents submitted to governmental agencies in Florida are public records. The only exceptions are the specific statutory exemptions provided in the law and exemptions granted by governmental agencies pursuant to the specific terms of a statutory provision. This is based on the concept that government should operate in the "sunshine." Rule 25-22.006(4), Florida Administrative Code, provides that it is the company's burden to demonstrate that the documents fall into one of the statutory examples set out in section 364.183, Florida Statutes, or to demonstrate that the information is proprietary confidential information, the disclosure of which will cause the company or its ratepayers harm.

Section 364.183(3), Florida Statutes, provides the following definition for proprietary confidential business information.

The term 'proprietary confidential business information' means information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of

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a court or administrative body, or private agreement that provides that the information will not be released to the public. The term includes, but is not limited to:

- (a) Trade secrets.
- (b) Internal auditing controls and reports of internal auditors.
- (c) Security measures, systems, or procedures.
- (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company or its affiliates to contract for goods or services on favorable terms.
- (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.
- (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

Rule 25-22.006(4)(c), Florida Administrative Code, requires that the company demonstrate by a line-by-line or field-by-field justification how the information asserted to be confidential qualifies as one of the statutory examples listed in section 364.183(3), Florida Statutes. If no statutory example is applicable, then the company shall include a statement explaining how the ratepayers or the company's operations will be harmed by disclosure.

Specifically GTEFL seeks confidential treatment for the information documented on Attachment A. The documents in question are cost studies for the company's advanced intelligent network (AIN) features and functions. These features and functions are to be provided to companies interconnecting with GTEFL's network. The cost study was submitted pursuant to Commission Order PSC-97-0064-FOF-TP.

GTEFL contends that disclosure of this information would aid competitors in formulating their own market entry strategies. Such disclosure would provide the competitor with an advantage to the economic detriment of GTEFL. The company also states that disclosure via the regulatory process versus disclosure via market

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trial and error will skew the market. GTEFL points out that some of the information concerns vendors and licensors. Disclosure would have an adverse impact on the company's ability to compete for products. Also, the company argues that it is subject to nondisclosure agreements imposed by certain vendors and licensors and is hence obligated to protect the information from public disclosure.

I am persuaded by GTEFL's argument. The information for which the company seeks confidential treatment is proprietary confidential business information as described in section 364.183(3)(e), Florida Statutes. If the information were disclosed, there would be an adverse impact on the company's competitive interest. Competitors could use the information to price their services below the prices offered by GTEFL. The information also falls under the definition of proprietary confidential business information as described in section 364.183(3)(f), Florida Statutes. Disclosure of certain portions of the information in this document would cause GTEFL to violate nondisclosure agreements made between it and its vendors. Because the information falls within the statutory definitions of proprietary confidential business information and disclosure would have an adverse economic effect on the company, GTEFL's request for confidential treatment is granted.

Based upon the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that GTE Florida, Incorporated's request for Confidential Classification and Motion for Protective Order for Document No. 7299-97 is granted.

ORDERED that pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, any confidentiality granted to the documents specified herein shall expire eighteen (18) months from the date of issuance of this Order in the absence of a renewed request for confidentiality pursuant to Section 364.183. It is further

ORDERED that this Order will be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period.

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By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 23rd day of September, 1997.

  
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J. TERRY DEASON  
Commissioner and Prehearing Officer

( S E A L )

AED

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.

Exhibit C

<u>Page</u>	<u>Column</u>	<u>Line</u>	<u>Reason</u>
1000108	B	7-9, 12-13 16-18	Variable (var.) costs for service creation environment (envt.), certification (cert.) testing, continuous retesting and switch cert.
1000108	C	1-2	Non-recurring costs (NRCs) for service creation envt., cert. testing, continuous retesting and switch cert.
1000108	D	3-5, 10-15	Monthly recurring costs (MRCs) for service creation envt., cert. testing, continuous retesting and switch cert.
1000109	B	3-5, 8-11 13-16	Var. costs for service management system.
1000109	D	1-7, 12, 17	MRCs for service management system.
1000110	D	1-6	MRCs for SCP/SLP access & storage, SSP access, SS7 network elements.
1000112	A B	6 1-6	Space workstation costs, service creation envt.
1000114	B	1-6	Intelligent network service commercial test facility (INCTF) costs, per SLP.
1000115	B,D,F,H, J,L	6-12,16,	Annual charge factor (ACF) associated with INCTF investment and expense elements, by USOA account (acct.).
1000115	C,E,G,I K,M	2-29	Detailed breakdown of INCTF investment and expense.
1000116	D	1-9	Direct input dollars for INCTF lab.
1000116	B	10-22	Hourly labor rate associated with INCTF lab costing.
1000117	C	10-23	Labor dollars, monthly and total, associated with INCTF lab costing.

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1000117	D	24-28	Totals, per square foot and building investment for INCTF.
1000117	B,D,F,H, J,L	6-12, 16, 20-26	ACF associated with INCTF lab certification equipment investment and expense elements, by USOA acct.
1000117	C,E,G, I,K,M	1-29	Detailed investment and expense breakdown for INCTF lab certification equipment.
1000118	B	1-34	Total of INCTF lab inventory costs by device.
1000119	B,D,F,H J,L	6-12, 16 20-26	ACF associated with INCTF lab computers, printers and telephones, by USOA acct.
1000119	C,E,G, I,K,M	1-29	Detailed investment and expense breakdown for INCTF lab computers, printers, and telephones.
1000120	C	1-10, 12 20	INCTF lab inventory costs per unit.
1000120	D	1-12, 19-20 22-23	INCTF lab inventory cost totals.
1000122	B-D	1	ISCP/SLP access & storage platform investment by year.
1000122	B-D	6-8	ISCP capacity by year.
1000122	B-D	11-13	Annual AIN call unit forecast, by year.
1000122	B	15-16	ISCP fill factor and investment
1000122	B	17-18	LAP run results
1000123	B,D,F,H, J,L	2,4,16	Loading factors, ISCP platform w/o peripheral.
1000123	B,D,F,H, J,L	6-12, 20-26	ACFs associated with ISCP investment and expense, by USOA acct.

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1000123	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for ISCP platform w/o peripheral.
1000124	B-D	1-3	ISCP investment with peripheral, by year.
1000124	B-D	6-8	ISCP capacity, by year.
1000124	B-D	11-13	ISCP forecast, by year.
1000124	B-D	15-16	ISCP fill factor and investment, by year.
1000124	B-D	17-18	ISCP LAP results.
1000125	B,D,F,H, J,L	2,4,16	ISCP platform with peripheral, loading factors.
1000125	B,D,F,H J,L	6-12,20-29	ACFs for ISCP platform with peripheral, by USOA acct.
1000125	C,E,G,I, K,M	1-29	Detailed investement and expense breakdown for ISCP platform with peripheral.
1000126	B	2	Storage costs by year.
1000126	B-D	4-5	Storage capacity data by year.
1000126	B-D	7-8	Storage forecast by year.
1000126	B-D	10-11	Storage fill factor information.
1000126	B-D	12-13	LAP results.
1000127	B,D,F,H, J,L	2,4, 5.1,16	Space & node storage costs, fill factor data.
1000127	B,D,F,H J,L	6-12, 20-26	ACFs associated with space & node storage costs, by USOA acct.
1000127	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for space & node storage costs.

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1000128	B	1-18	Cost elements and totals for ISCP with and w/o peripheral.
1000129	B	1,2,4,6	ISCP storage costs, discounted price per unit.
1000129	C	1,2,4,6 8-10	ISCP storage costs, total discounted price.
1000131	B,D,F,H, J,L	2,4, 5,1,16	Service switching point (SSP) loading factors.
1000131	B,D,F,H, J,L	6-12, 20-26	ACFs associated with SSP, by USOA acct.
1000131	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for SSP.
1000132	A-D	1	Total state technology percentages by switch type.
1000132	A-D	2	SSP investments per SS7 octet by switch type.
1000133	B-C	1-25	Results of vendor-proprietary cost model run for GTD-5 switch technology.
1000134	B-C	1-18	Results of vendor-proprietary cost model run for DMS-100F investment.
1000135	B	1-33	Inputs and results of vendor-proprietary cost model run for DMS-100F weighted line termination.
1000136	B-C	1-14	Input statistics for vendor-proprietary cost model run for DMS-100 switch.
1000138	C-D	1-22	Vendor-proprietary cost model inputs and results for 5ESS switch investment.
1000139	B	1-40	Vendor-proprietary cost model inputs and results for 5ESS costs, weighted line terminations.

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1000140	B	1-14	Vendor-proprietary cost model inputs and results for 5ESS costs, weighted line terminations.
1000141	B	4,5,7,8,10	Vendor-proprietary inputs statistics for 5ESS switch costs run.
1000143	B	1-9	SS7 costs per call.
1000144	A-E	1-6	SS7 costs and investment per octet and per call.
1000145	B-J	7-39	Breakdown of DS-0 investment per mile, 24-fiber cable and two terminations.
1000146	B,D,F,H, J,L	2,4, 5.1, 16	Loading factors for SS7 facility, A links.
1000146	B,D,F,H, J,L	6-12, 20-26	ACFs for SS7 A links expense, by USOA acct.
1000146	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for SS7 A links.
1000147	B-H	10-11 23-24 36-37 40-42	Statistics on DS-0 investment per mile, A links terminations.
1000148	B,D,F,H, J,L	2, 4, 5.1, 16	Loading factors for SS7 terminations, A links.
1000148	B,D,F,H, J,L	6-12, 20-26	ACFs associated with expenses for SS7 termination--A links.
1000148	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for SS7 termination--A links.
1000149	B-J	7-39	DS-0 investment per mile, C links terminations.
1000150	B,D,F,H, J,L	2, 4, 5.1, 16	C links loading factor information.

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1000150	B,D,F,H, J,L	6-12, 20-26	ACFs associated with C links expense.
1000150	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for C links.
1000151	B-H	10-11 23-24 36-37 40-42	DS-0 investment per mile, C links terminations.
1000152	B,D,F,H, J,L	2, 4, 5.1, 16	C links termination loading factor information.
1000152	B,D,F,H, J,L	6-12, 20-26	ACFs for C links termination.
1000152	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for C links.
1000153	A-D	1-11	Calculation of STP investments for Tampa/ Clearwater.
1000154	B,D,F,H, J,L	2, 4, 5.1, 16	SS7 STP loading factor information.
1000154	B,D,F,H, J,L	6-12, 20-26	ACFs associated with SS7 STPs.
1000154	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for SS7 STPs.
1000155	B	1-5	AIN switch cost summary.
1000156	B	1,2,4	AIN switch investment summary.
1000157	A-E	1-18	SS7 cost summary, SCP.
1000158	B-J	7-39	DS-0 investment per mile, A links facility.

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1000159	B,D,F,H, J,L	2, 4, 5.1, 16	Loading factor data for SS7 facility, A links.
1000159	B,D,F,H, J,L	6-12, 20-26	ACFs associated with SS7 facility, A links.
1000159	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for SS7 facility, A links.
1000160	B-J	7-39	DS-0 investment per mile, facility, A links.
1000161	B,D,F,H, J,L	2, 4, 5.1, 16	Loading factor information for SS7 facility, A links.
1000161	B,D,F,H, J,L	6-12, 20-26	ACFs associated with SS7 facility, A links.
1000161	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for SS7 facility, A links.
1000162	B-I	10-11 23-24 36-37 40-42	DS-0 investment per mile, A links terminations.
1000163	B,D,F,H, J,L	2, 4 5.1, 16	Loading factor information for A links termination.
1000163	B,D,F,H, J,L	6-12, 20-26	ACFs associated with SS7 termination, A links.
1000163	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for SS7 termination, A links.
1000164	A-D	1-11	Calculation of STP investments, Tampa/ Clearwater STPs.
1000165	B,D,F,H, J,L	2, 4 5.1, 16	Loading factor information for SS7 STPs.
1000165	B,D,F,H, J,L	6-12, 20-26	ACFs for SS7 STPs.

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1000165	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for SS7 STPs.
1000166	B-J	7-39	DS-0 investment per mile, facility, C links.
1000167	B,D,F,H J,L	2, 4 5.1, 16	Loading factor information for SS7 facility, C links.
1000167	B,D,F,H J,L	6-12 20-26	ACFs associated with for SS7 facility, C links.
1000167	C,E,G,I K,M	1-29	Detailed investment and expense breakdown for SS7 facility, C links.
1000168	B-J	7-39	DS-0 investment per mile, facility, C links.
1000169	B,D,F,H J,L	2, 4 5.1, 16	Loading factor information, SS7 facility, C links.
1000169	B,D,F,H J,L	6-12, 20-26	ACFs associated with SS7 facility, C links.
1000169	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown, SS7 facility, C links.
1000170	B-I	10-11 23-24 36-37 40-42	DS-0 investment per mile, termination, C links.
1000171	B,D,F,H, J,L	2, 4 5.1, 16	Loading factor information, SS7 termination, C links.
1000171	B,D,F,H, J,L	6-12, 20-26	ACFs associated with SS7 termination, C links.
1000171	C,E,G,I K.M	1-29	Detailed investment and expense breakdown for SS7 termination, C links.

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1000172	B-H	10-11 23-24 36-37 40-42	DS-0 investment per mile, termination, D links.
1000173	B,D,F,H, J,L	2, 4 5.1, 16	Loading factor information, SS7 termination, D links.
1000173	B,D,F,H, J,L	6-12, 20-26	ACFs for D links terminations.
1000173	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for D links terminations.
1000175	A	1	Conduit cost summary.
1000177	A-B	1-13	Inputs and results for material and labor investment for acct. 24110.
1000173	B,D,F,H, J,L	2, 4, 16	Loading factors for conduit.
1000173	B,D,F,H, J,L	6-12, 20-26	ACFs associated with conduit.
1000173	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for conduit.
1000179	A	1	Telephone pole cost summary.
1000181	A-B	1-6	Inputs and results of material and labor investment analysis for acct. 2411.
1000182	B,D,F,H, J,L	2, 4 16	Loading factors for poles.
1000182	B,D,F,H, J,L	6-12, 20-26	ACFs associated with poles.

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1000182	C,E,G,I, K,M	1-29	Detailed investment and expense breakdown for poles.
1000183	A-E	1-6	Monthly pole costs, multiple parties.

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Request for Confidential Classification and Motion for Protective Order in Docket Nos. 960847-TP and 960980-TP was sent via U.S. mail on July 21, 1997 to the parties listed below.

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